

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Teri Juanita Davis

Docket No. 7:11-MJ-1058-1

Petition for Action on Probation

COMES NOW Kevin L. Connolley, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Teri Juanita Davis, who, upon an earlier plea of guilty to DWI, Level IV, 18 U.S.C. 13, NCGS 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on June 9, 2011, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other alcohol/drug rehabilitation and education program as directed by the U.S. Probation office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until her privilege to do so is restored in accordance with law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Ms. Davis is being supervised by our counterparts in the District of South Carolina. In correspondence dated February 7, 2012, the offender's probation officer, Ms. Nikki Sheehy, advised that on September 1, 2011, the Horry County Police Department responded to the offender's residence after receiving a report she intended to harm herself. Upon their arrival police observed a loaded handgun in close proximity to Ms. Davis. She informed police she intended to kill her husband and herself. She was involuntarily committed to a psychiatric facility. Further investigation revealed the offender's consumption of alcoholic beverages was a contributing factor in the crisis.

Ms. Davis was subsequently referred for substance abuse counseling. However, she submitted diluted urine samples on four occasions during October, November and December of 2011. She

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also failed to report to provide urine samples on four occasions between November 30, 2011, and February 3, 2012. Further, a urine sample collected from the offender on January 20, 2012, tested positive for alcohol.

On January 30, 2012, Ms. Davis admitted to her probation officer she had continued to use alcoholic beverages and, at times, experienced withdrawal symptoms. The offender has agreed to participate in additional substance abuse/mental health therapy and abstain from consumption of alcohol. USPO Sheehy has recommended Ms. Davis be permitted to remain under supervision and the court add alcohol abstinence, substance abuse therapy and mental health therapy to the conditions of supervision. We concur with USPO Sheehy's recommendation. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a substance abuse treatment program, to include testing, as approved by the U.S. Probation Office.
2. The defendant shall satisfactorily participate in a mental health counseling/treatment program as approved by the U.S. Probation Office.
3. The defendant must abstain from alcohol consumption, to include all alcoholic beverages.

Except as herein modified, the judgment shall remain in full force and effect.

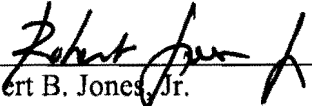
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: February 24, 2012

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ORDER OF COURT

Considered and ordered this 27th day of February, 2012, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge